

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>SMOOTH VAPE, LLC,</b>	:	<b>CIVIL ACTION</b>
<i>Plaintiffs,</i>	:	
	:	
v.	:	
	:	
<b>LANCASTER COUNTY</b>	:	
<b>PENNSYLVANIA, <i>et al.</i>,</b>	:	
<i>Defendants.</i>	:	<b>NO. 23-CV-3000</b>

**ORDER**

AND NOW, this **5th** day of **March 2024**, upon consideration of Defendants’ Motion for Judgment on the Pleadings (ECF No. 19), it is hereby **ORDERED** that this motion is granted in part and denied in part, for the reasons stated in the Court’s Memorandum, as follows:<sup>1</sup>

- Judgment in favor of Defendants Adams, Krause, and John Does 1-3 on Count I (Illegal Search and Seizure) is **DENIED**.
- Judgment in favor of Defendant Lancaster County on Count II (*Monell* Claim) is **GRANTED** and Count II is dismissed. Lancaster County is dismissed from this case.

**BY THE COURT:**

/s/ **Chad F. Kenney**

**CHAD F. KENNEY, JUDGE**

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<sup>1</sup> The Court will not address Plaintiff’s claim for declaratory judgment because the issue of whether Smooth Vape’s items were legal or illegal under Pennsylvania and/or federal law at the time of search and seizure is not relevant at this stage of proceedings.